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IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST

LAN T. NGUYEN,

RESPONDENT.

FINAL DECISION AND ORDER

LS99020110BAC

Division of Enforcement Case No. 96 BAC 040

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

*Lan T. Nguyen
10143 W. Harrison Ave.
West Allis, WI 53227*

*Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Lan T. Nguyen (DOB 12-26-51), 10143 W. Harrison Ave., West Allis, WI 53227 is duly licensed as a barbering and cosmetology manager in the state of Wisconsin (license #23737). This license was first granted on April 19, 1990.
2. Hair Tech, 17000 W. Capitol Dr., Brookfield, WI 53005, was duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license #24167). This license was first granted on April 11, 1995 and expired on June 30, 1997. Lan T. Nguyen is listed with the Department of Regulation and Licensing as the manager of Hair Tech. As manager, Ms. Nguyen was and is at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code chs. BC 3 and 4.
3. On exact dates unknown, but at least on March 21, 1996, Jennifer Kurkowski was providing barbering and cosmetology services at Hair Tech. At no time relevant to this action did Ms. Nguyen ensure that this apprentice was trained and directly supervised.
4. On exact dates unknown, but at least on April 18, 1996, Trang Nyen Ngo was providing barbering and cosmetology services at Hair Tech. At no time relevant to this action did Trang Nyen Ngo hold a current and valid

barbering and cosmetology credential.

5. On exact dates unknown, but at least on May 16, 1997, Hein Luu was providing barbering and cosmetology services at Hair Tech. At no time relevant to this action did Ms. Nguyen ensure that this apprentice was trained and directly supervised.

6. In resolution of this matter, Lan T. Nguyen consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 3-5 above, Lan T. Nguyen violated sec. 454.15(2)(i), Stats. and Wis. Admin. Code §§ BC 2.04 and BC 2.07.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Lan T. Nguyen shall pay to the Department of Regulation and Licensing a forfeiture of TWO HUNDRED dollars (\$200.00). Payments shall be submitted as follows:

\$50.00 due on or before February 15, 1999;

\$50.00 due on or before March 15, 1999;

\$50.00 due on or before April 15, 1999; and

\$50.00 due on or before May 15, 1999.

All payments shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

IT IS FURTHER ORDERED that in the event Lan T. Nguyen fails to timely submit payment of the forfeiture as set forth above, the manager license of Ms. Nguyen (#23737) **SHALL BE SUSPENDED**, without further notice or hearing, until Respondent has complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: James Fahey

A member of the Board

February 1, 1999

Date